

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Ozawa
Appl. No.: 10/091,646
Conf. No.: 9145
Filed: March 5, 2002
Title: OPTICAL FUSION SPLICER AND METHOD FOR ESTIMATING A SHAPE
OF BEAM DISCHARGED BY OPTICAL FIBER FUSION SPLICER
Art Unit: 2879
Examiner: Dalei Dong
Docket No.: 113197-025

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST TO WITHDRAW HOLDING OF ABANDONMENT

REMARKS

Applicants are submitting herewith a Petition to Withdraw Holding of Abandonment pursuant to 37 C.F.R. § 1.181. In the present case, a Notice of Allowance issued with DATE MAILED: 09/20/2006 as indicated on the attached copy of the Notice of Allowance as Exhibit A. However, the Notice of Allowance was returned to the U.S. Patent Office by the U.S. Postal Office as undelivered and received by the Patent Office on October 27, 2006. The receipt of the undelivered Notice of Allowance is evidenced by the USPTO PAIR Database for this case. A copy of the PAIR database printout along with a copy of the undelivered Notice of Allowance as received by the U.S. Patent Office is attached herewith as Exhibit B.

Applicants' respectfully submit herewith that their first notification of the issuance of the Notice of Allowance was on January 3, 2007. In this regard, Applicants through their undersigned attorney of record retrieved a copy of the issued Notice of Allowance from the USPTO PAIR Database based on a status check conducted pursuant to internal docketing procedures of Applicants' undersigned attorney of record. The retrieved Notice of Allowance is attached as Exhibit A. Applicants are submitting herewith as Exhibit C a copy of the docket record associated with this case evidencing same.

Accordingly, Applicants respectfully submit that the Notice of Allowance was not received by Applicants and Applicants attorney of record prior to the date that the issue fee was due (i.e., December 20, 2006). As previously discussed, Applicants through their attorney of record were first notified of the Notice of Allowance after the issue fee was due (e.g., January 3, 2007) based on the retrieval of the Notice of Allowance from USPTO's PAIR Database subsequent to a status review of this case according to internal docketing procedures conducted in the regular course of business. Therefore, Applicants respectfully request that this petition be granted, and thus, the holding of abandonment be withdrawn. In view of same, Applicants respectfully request that the Patent Office issue the Notice of Allowance again, thus providing Applicants with three months from the date of issuance for payment of the issue fee.

If the Patent Office should have any questions regarding Applicants' Petition, Applicants respectfully request that the Patent Office contact the undersigned attorney of record, and, if convenient, by telephone to resolve any potential issues that may remain.

Respectfully submitted,

BELL, BOYD & LLOYD LLP

BY 

Thomas C. Basso
Reg. No. 46,541
Customer No. 24573

Dated: January 19, 2007

EXHIBIT A



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

24573 7590 09/20/2006
BELL, BOYD & LLOYD, LLC
PO BOX 1135
CHICAGO, IL 60690-1135

RECEIVED
BELL, BOYD & LLOYD
INTELLECTUAL PROPERTY DOCKET

JAN 03 2007

ATTY: PZB
DOCKET: 113197-025

| | |
|-------------------------|--------------|
| EXAMINER | |
| DONG, DALEI | |
| ART UNIT | PAPER NUMBER |
| 2879 | |
| DATE MAILED: 09/20/2006 | |

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/091.646 | 03/05/2002 | Koji Ozawa | 113197-025 | 9145 |

TITLE OF INVENTION: OPTICAL FIBER FUSION SPLICER AND METHOD FOR ESTIMATING A SHAPE OF BEAM DISCHARGED BY THE OPTICAL FIBER FUSION SPLICER

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|---------------|---------------------|----------------------|------------------|------------|
| nonprovisional | NO | \$1400 | \$300 | \$0 | \$1700 | 12/20/2006 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** **Mail Stop ISSUE FEE**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax **(571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the **ISSUE FEE** and **PUBLICATION FEE** (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

24573 7590 09/20/2006

BELL, BOYD & LLOYD, LLC
PO BOX 1135
CHICAGO, IL 60690-1135

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

| |
|--------------------|
| (Depositor's name) |
| (Signature) |
| (Date) |

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/091,646 | 03/05/2002 | Koji Ozawa | 113197-025 | 9145 |

TITLE OF INVENTION: OPTICAL FIBER FUSION SPLICER AND METHOD FOR ESTIMATING A SHAPE OF BEAM DISCHARGED BY THE OPTICAL FIBER FUSION SPLICER

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|---------------|---------------------|----------------------|------------------|------------|
| nonprovisional | NO | \$1400 | \$300 | \$0 | \$1700 | 12/20/2006 |

| EXAMINER | ART UNIT | CLASS-SUBCLASS |
|-------------|----------|----------------|
| DONG, DALEI | 2879 | 385-096000 |

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

| | |
|---|-------|
| 1 | _____ |
| 2 | _____ |
| 3 | _____ |

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reuply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.
- ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/091,646 | 03/05/2002 | Koji Ozawa | 113197-025 | 9145 |
| 24573 | 7590 | 09/20/2006 | EXAMINER | |
| BELL, BOYD & LLOYD, LLC PO BOX 1135 CHICAGO, IL 60690-1135 | | | DONG, DALEI | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2879 | |
| DATE MAILED: 09/20/2006 | | | | |

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 241 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 241 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

| | | | |
|-------------------------------|-----------------|--------------|--|
| Notice of Allowability | Application No. | Applicant(s) | |
| | 10/091,646 | OZAWA ET AL. | |
| | Examiner | Art Unit | |
| | Dalei Dong | 2879 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Response filed on July 6, 2006.
2. ☒ The allowed claim(s) is/are 4 and 5.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. The Response filed on July 6, 2006, has been entered and acknowledged by the Examiner.

Election/Restrictions

2. This application is in condition for allowance except for the presence of claim 3 directed to a discharge beam estimating method, for an optical fusion splicer non-elected without traverse. Accordingly, claim 3 has been cancelled.

EXAMINER'S AMENDMENT

3. The application has been amended as follows:

Claim 4 (Currently Amended). A method for fusion splicing of an optical fiber using an optical fiber fusion splicer comprising a setting means for setting respective end surfaces of two optical fibers that are to be spliced in order to abut against each other, a heating means for generating an arc discharge between two discharge electrodes and heating an abutment portion of said optical fibers using a discharge beam, and an image pickup means for picking up an image of said discharge beam, the method comprising: measuring, from image signals obtained by said image pickup means when a preliminary arc discharge is generated between said discharge electrodes when no optical fibers have been placed in a discharge area, brightness distributions on a plurality of lines that are set at different positions along a rectilinear direction between said discharge electrodes and run in a direction substantially at right angles to the rectilinear direction; estimating a

heating center of the arc discharge along an axial direction of the optical fiber from the plurality of brightness distributions; controlling a position of said setting means along the axial direction of the ~~optional~~ optical fiber such that the abutment portion of said two optical fibers is positioned in the estimated heating center; and thereafter controlling said heating means such that a main arc discharge is generated and said abutment portion is heated by said discharge beam.

Allowable Subject Matter

4. Claims 4 and 5 are allowed.
5. The following is an examiner's statement of reasons for allowance:

Regarding to independent claim 4, prior art of record taken alone or in combination fails to teach or suggest a method for fusion splicing of an optical fiber using an optical fiber fusion splicer comprising: estimating a heat center of the arc discharge along an axial direction of the optical fiber from the plurality of brightness distributions; controlling a position of the setting means along the axial direction of the optical fiber such that the abutment portion of the two optical fibers is positioned in the estimated heating center, in combination with other claimed method of the present claimed invention.

Regarding to claim 5, is allowable because of the dependency upon the allowable independent claim 4.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dalei Dong whose telephone number is (571)272-2370. The examiner can normally be reached on 8 A.M. to 5 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar Patel can be reached on (571)272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2879

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



D.D.

August 22, 2006





Karabi Guhardy
Primary Examiner
Art Unit 2879
8/31/06

EXHIBIT B

10/091,646 OPTICAL FIBER FUSION SPLICER AND METHOD FOR ESTIMATING A SHAPE OF BEAM DISCHARGED BY THE OPTICAL FIBER FUSION SPLICER 

| | | | | | | | |
|------------------|---------------------|--------------------|-------------------------|------------------|---------------------|-------------------|--------------------------|
| Application Data | Transaction History | Image File Wrapper | Patent Term Adjustments | Foreign Priority | Published Documents | Publication Dates | Address & Attorney/Agent |
|------------------|---------------------|--------------------|-------------------------|------------------|---------------------|-------------------|--------------------------|

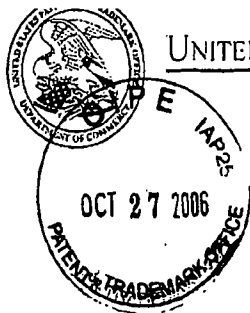
This application is officially maintained in electronic form. To View: Click the desired Document Description. To Download and Print: Check the desired document(s) and click StartDownload.

| Mail Room Date  | Document Description  | Page Count | Select All | Start Download | Clear All |
|--|--|------------|------------|-------------------------------------|-----------|
| 11-01-2006 | <u>List of References cited by applicant and considered by examiner</u> | 1 | | <input type="checkbox"/> | |
| 10-27-2006 | <u>Mail returned to USPTO as undelivered</u> | 9 | | <input checked="" type="checkbox"/> | |
| 09-20-2006 | <u>Notice of Allowance and Fees Due (PTOL-85)</u> | 3 | | <input type="checkbox"/> | |
| 09-20-2006 | <u>Notice of Allowance and Fees Due (PTOL-85)</u> | 5 | | <input type="checkbox"/> | |
| 09-20-2006 | <u>Issue Information including classification, examiner, name, claim, renumbering, etc.</u> | 1 | | <input type="checkbox"/> | |
| 09-20-2006 | <u>Search information including classification, databases and other search related notes</u> | 1 | | <input type="checkbox"/> | |
| 09-20-2006 | <u>Index of Claims</u> | 1 | | <input type="checkbox"/> | |
| 09-20-2006 | <u>Bibliographic Data Sheet</u> | 1 | | <input type="checkbox"/> | |
| 08-22-2006 | <u>Examiner's search strategy and results</u> | 4 | | <input type="checkbox"/> | |
| 07-06-2006 | <u>Amendment - After Non-Final Rejection</u> | 1 | | <input type="checkbox"/> | |
| 07-06-2006 | <u>Applicant Arguments/Remarks Made in an Amendment</u> | 5 | | <input type="checkbox"/> | |
| 07-06-2006 | <u>Extension of Time</u> | 1 | | <input type="checkbox"/> | |
| 07-06-2006 | <u>Fee Worksheet (PTO-06)</u> | 2 | | <input type="checkbox"/> | |
| 07-06-2006 | <u>Status Letter Mailed to Applicant</u> | 2 | | <input type="checkbox"/> | |
| 03-06-2006 | <u>Non-Final Rejection</u> | 7 | | <input type="checkbox"/> | |
| 03-06-2006 | <u>Search information including classification, databases and other search related notes</u> | 1 | | <input type="checkbox"/> | |

| | | | |
|------------|--|---|---|
| 03-06-2006 | <u>Index of Claims</u> | 1 | ┐ |
| 12-19-2005 | <u>Fee Worksheet (PTO-06)</u> | 1 | ┐ |
| 12-19-2005 | <u>Claims Worksheet (PTO-2022)</u> | 1 | ┐ |
| 12-19-2005 | <u>Amendment Submitted/Entered with Filing of CPA/RCE</u> | 1 | ┐ |
| 12-19-2005 | <u>Claims</u> | 2 | ┐ |
| 12-19-2005 | <u>Applicant Arguments/Remarks Made in an Amendment</u> | 3 | ┐ |
| 12-19-2005 | <u>Request for Continued Examination (RCE)</u> | 1 | ┐ |
| 12-19-2005 | <u>Transmittal to TC</u> | 1 | ┐ |
| 09-16-2005 | <u>Final Rejection</u> | 8 | ┐ |
| 09-16-2005 | <u>Index of Claims</u> | 1 | ┐ |
| 09-16-2005 | <u>Search information including classification, databases and other search related notes</u> | 1 | ┐ |
| 08-10-2005 | <u>Amendment - After Non-Final Rejection</u> | 4 | ┐ |
| 08-10-2005 | <u>Applicant Arguments/Remarks Made in an Amendment</u> | 3 | ┐ |
| 08-10-2005 | <u>Amendment - After Non-Final Rejection</u> | 4 | ┐ |
| 08-10-2005 | <u>Applicant Arguments/Remarks Made in an Amendment</u> | 3 | ┐ |
| 05-11-2005 | <u>Non-Final Rejection</u> | 7 | ┐ |
| 05-11-2005 | <u>List of references cited by examiner</u> | 1 | ┐ |
| 05-11-2005 | <u>Index of Claims</u> | 1 | ┐ |
| 05-11-2005 | <u>Search information including classification, databases and other search related notes</u> | 1 | ┐ |
| 03-24-2005 | <u>Amendment After Final or under 37CFR 1.312, initialed by the examiner.</u> | 1 | ┐ |
| 03-24-2005 | <u>Request for Continued</u> | 1 | ┐ |

| | | | |
|------------|--|----|---|
| | <u>Examination (RCE)</u> | | |
| 03-24-2005 | <u>Extension of Time</u> | 1 | ☐ |
| 03-08-2005 | <u>Advisory Action (PTOL-303)</u> | 3 | ☐ |
| 03-08-2005 | <u>Amendment After Final or under 37CFR 1.312, initialed by the examiner.</u> | 1 | ☐ |
| 02-24-2005 | <u>Fee Worksheet (PTO-06)</u> | 1 | ☐ |
| 02-24-2005 | <u>Claims Worksheet (PTO- 2022)</u> | 1 | ☐ |
| 02-24-2005 | <u>Amendment Submitted/Entered with Filing of CPA/RCE</u> | 2 | ☐ |
| 02-24-2005 | <u>Claims</u> | 2 | ☐ |
| 02-24-2005 | <u>Applicant Arguments/Remarks Made in an Amendment</u> | 2 | ☐ |
| 11-19-2004 | <u>Final Rejection</u> | 7 | ☐ |
| 11-19-2004 | <u>Index of Claims</u> | 1 | ☐ |
| 10-18-2004 | <u>Amendment - After Non- Final Rejection</u> | 2 | ☐ |
| 10-18-2004 | <u>Authorization for Extension of Time all replies</u> | 2 | ☐ |
| 10-18-2004 | <u>Applicant Arguments/Remarks Made in an Amendment</u> | 2 | ☐ |
| 07-13-2004 | <u>Non-Final Rejection</u> | 5 | ☐ |
| 07-13-2004 | <u>List of references cited by examiner</u> | 1 | ☐ |
| 07-13-2004 | <u>List of References cited by applicant and considered by examiner</u> | 1 | ☐ |
| 07-13-2004 | <u>Index of Claims</u> | 1 | ☐ |
| 07-13-2004 | <u>Search information including classification, databases and other search related notes</u> | 1 | ☐ |
| 07-02-2004 | <u>Information Disclosure Statement (IDS) Filed</u> | 6 | ☐ |
| 07-02-2004 | <u>Foreign Reference</u> | 6 | ☐ |
| 07-02-2004 | <u>Foreign Reference</u> | 13 | ☐ |

| | | | |
|------------|---|----|---|
| 05-24-2004 | <u>Response to Election / Restriction Filed</u> | 2 | ☐ |
| 04-20-2004 | <u>Requirement for Restriction/Election</u> | 5 | ☐ |
| 04-20-2004 | <u>Index of Claims</u> | 1 | ☐ |
| 03-05-2002 | <u>Transmittal of New Application</u> | 5 | ☐ |
| 03-05-2002 | <u>Drawings</u> | 3 | ☐ |
| 03-05-2002 | <u>Specification</u> | 15 | ☐ |
| 03-05-2002 | <u>Claims</u> | 2 | ☐ |
| 03-05-2002 | <u>Abstract</u> | 1 | ☐ |
| 03-05-2002 | <u>Oath or Declaration filed</u> | 3 | ☐ |
| 03-05-2002 | <u>Fee Worksheet (PTO-06)</u> | 1 | ☐ |
| 03-05-2002 | <u>Fee Worksheet (PTO-06)</u> | 1 | ☐ |
| 03-05-2002 | <u>Claims Worksheet (PTO- 2022)</u> | 1 | ☐ |
| 03-05-2002 | <u>Information Disclosure Statement (IDS) Filed</u> | 2 | ☐ |
| 03-05-2002 | <u>Foreign Reference</u> | 7 | ☐ |
| 03-05-2002 | <u>Foreign Reference</u> | 4 | ☐ |
| 03-05-2002 | <u>Certified Copy of Foreign Priority Application</u> | 21 | ☐ |
| 03-05-2002 | <u>Transmittal of New Application</u> | 5 | ☐ |
| 03-05-2002 | <u>Specification</u> | 15 | ☐ |
| 03-05-2002 | <u>Claims</u> | 2 | ☐ |
| 03-05-2002 | <u>Abstract</u> | 1 | ☐ |
| 03-05-2002 | <u>Drawings</u> | 3 | ☐ |
| 03-05-2002 | <u>Oath or Declaration filed</u> | 3 | ☐ |
| 03-05-2002 | <u>Miscellaneous Incoming Letter</u> | 1 | ☐ |



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NOTICE OF ALLOWANCE AND FEE(S) DUE

24573

7500

09/20/2006

BELL, BOYD & LLOYD, LLC
PO BOX 1135
CHICAGO, IL 60690-1135

EXAMINER

DONG, DALEI

ART UNIT

PAPER NUMBER

2879

DATE MAILED: 09/20/2006

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/091,646 | 03/05/2002 | Koji Ozawa | 113197-025 | 9145 |

TITLE OF INVENTION: OPTICAL FIBER FUSION SPLICER AND METHOD FOR ESTIMATING A SHAPE OF BEAM DISCHARGED BY THE
OPTICAL FIBER FUSION SPLICER

| APPL. TYPE | SMALL ENTITY | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|---------------|---------------------|----------------------|------------------|------------|
| nonprovisional | NO | \$1400 | \$300 | \$0 | \$1700 | 12/20/2006 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

Complete and send this form, together with applicable fee(s), to: **Mail** **Mail Stop ISSUE FEE**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or **Fax** **(571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the **ISSUE FEE** and **PUBLICATION FEE** (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

24573 7590 09/20/2006

BELL, BOYD & LLOYD, LLC
PO BOX 1135
CHICAGO, IL 60690-1135

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

| |
|--------------------|
| (Depositor's name) |
| (Signature) |
| (Date) |

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/091.646 | 03/05/2002 | Koji Ozawa | 113197-025 | 9145 |

TITLE OF INVENTION: OPTICAL FIBER FUSION SPLICER AND METHOD FOR ESTIMATING A SHAPE OF BEAM DISCHARGED BY THE OPTICAL FIBER FUSION SPLICER

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|---------------|---------------------|----------------------|------------------|------------|
| nonprovisional | NO | \$1400 | \$300 | \$0 | \$1700 | 12/20/2006 |

| EXAMINER | ART UNIT | CLASS-SUBCLASS |
|-------------|----------|----------------|
| DONG, DALEI | 2879 | 385-096000 |

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

| | |
|---|-------|
| 1 | _____ |
| 2 | _____ |
| 3 | _____ |

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/091,646 | 03/05/2002 | Koji Ozawa | 113197-025 | 9145 |
| 24573 | 7590 | 09/20/2006 | EXAMINER | |
| BELL, BOYD & LLOYD, LLC PO BOX 1135 CHICAGO, IL 60690-1135 | | | DONG, DALEI | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2879 | |
| DATE MAILED: 09/20/2006 | | | | |

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 241 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 241 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability

Application No.

10/091,646

Examiner

Dalei Dong

Applicant(s)

OZAWA ET AL.

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Response filed on July 6, 2006.

2. ☒ The allowed claim(s) is/are 4 and 5.

3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☒ All b) ☐ Some* c) ☐ None of the:

1. ☒ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____

DETAILED ACTION

1. The Response filed on July 6, 2006, has been entered and acknowledged by the Examiner.

Election/Restrictions

2. This application is in condition for allowance except for the presence of claim 3 directed to a discharge beam estimating method, for an optical fusion splicer non-elected without traverse. Accordingly, claim 3 has been cancelled.

EXAMINER'S AMENDMENT

3. The application has been amended as follows:

Claim 4 (Currently Amended). A method for fusion splicing of an optical fiber using an optical fiber fusion splicer comprising a setting means for setting respective end surfaces of two optical fibers that are to be spliced in order to abut against each other, a heating means for generating an arc discharge between two discharge electrodes and heating an abutment portion of said optical fibers using a discharge beam, and an image pickup means for picking up an image of said discharge beam, the method comprising: measuring, from image signals obtained by said image pickup means when a preliminary arc discharge is generated between said discharge electrodes when no optical fibers have been placed in a discharge area, brightness distributions on a plurality of lines that are set at different positions along a rectilinear direction between said discharge electrodes and run in a direction substantially at right angles to the rectilinear direction; estimating a

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heating center of the arc discharge along an axial direction of the optical fiber from the plurality of brightness distributions; controlling a position of said setting means along the axial direction of the ~~optional~~ optical fiber such that the abutment portion of said two optical fibers is positioned in the estimated heating center; and thereafter controlling said heating means such that a main arc discharge is generated and said abutment portion is heated by said discharge beam.

Allowable Subject Matter

4. Claims 4 and 5 are allowed.
5. The following is an examiner's statement of reasons for allowance:

Regarding to independent claim 4, prior art of record taken alone or in combination fails to teach or suggest a method for fusion splicing of an optical fiber using an optical fiber fusion splicer comprising: estimating a heat center of the arc discharge along an axial direction of the optical fiber from the plurality of brightness distributions; controlling a position of the setting means along the axial direction of the optical fiber such that the abutment portion of the two optical fibers is positioned in the estimated heating center, in combination with other claimed method of the present claimed invention.

Regarding to claim 5, is allowable because of the dependency upon the allowable independent claim 4.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dalei Dong whose telephone number is (571)272-2370. The examiner can normally be reached on 8 A.M. to 5 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar Patel can be reached on (571)272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

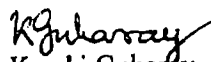
Art Unit: 2879

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



D.D.

August 22, 2006


Karabi Guharay
Primary Examiner
Art Unit 2879
8/31/06

Organization TR 2600 Bldg./Room Jeff

UNITED STATES PATENT AND TRADEMARK OFFICE

P.O. Box 1450

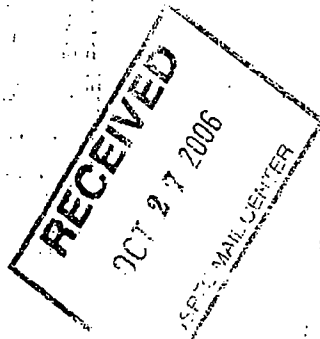
Alexandria, VA. 22313-1450

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DEL 105 506 11 N C 22 10/20/06
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UNABLE TO FORWARD

BC: 506 90119555 PM 2842-02017-20-27

506114019555 PM 2842-02017-20-27

EXHIBIT C

BB&L# 113197-025

PRINTED ON: 1/16/2007

| | | | | | | | |
|---------|--------------|-----------------------------------|------------|---|-------|-----------|--|
| COUNTRY | US | UNITED STATES | TITLE | | PRIOR | 6/27/2001 | |
| NEW/CON | CEQ | SERIAL# | 10/091,646 | OPTICAL FIBER FUSION SPLICER AND METHOD FOR ESTIMATING A SHAPE OF BEAM DISCHARGED BY THE OPTICAL FIBER FUSION SPLICER | MAIL | 3/5/2002 | |
| RELATED | 113197-025JP | PATENT# | | | FILE | 3/5/2002 | |
| TYPE | UTL | STATUS | PUBLISHED | | PUBL | 1/2/2003 | |
| CLIENT | 113197 | Shiga International Patent Office | 1 | | CREF | OSP-11587 | |
| AGENT | | | | AREF | | ISSUE | |
| | | | | | 1ST | 3/5/2002 | |
| | | | | | EXP | 3/5/2002 | |

| ID | O | ACTION | BASE | DUE IN | DUE | EXTNS | FINAL | EXT | RESPONSE | CALL UP | 1 | 2 | P |
|---|---|----------------------|------------|--------|------------|-------|------------|-----|------------|---------|---|---|---|
| SD | Y | SIGNED DECLARATION | 3/5/2002 | | | | | | | | | | |
| DS | N | INF DISCLOSURE STMT | 3/5/2002 | 0 M | 3/5/2002 | | 3/5/2002 | 0 | 3/5/2002 | 0 M | Y | Y | Y |
| PD | Y | PRIORITY DOCUMENT | 3/5/2002 | | | | | | | | | | |
| AS | Y | ASSIGNMENT | 3/5/2002 | | | | | | 5/10/2002 | | | | |
| RECORDED: 3-5-2002: REEL: 012678 FRAME: 388-391 | | | | | | | | | | | | | |
| PC | N | POST CARD CHECK | 3/5/2002 | 1 M | 4/5/2002 | | 4/5/2002 | 0 | 4/2/2002 | 0 M | N | N | Y |
| FS | N | FILG RCPT STATUS CHK | 3/5/2002 | 3 M | 6/5/2002 | | 6/5/2002 | 0 | 4/2/2002 | 0 M | N | N | Y |
| DO | N | APPL FILING DEADLINE | 6/27/2001 | 12 M | 6/27/2002 | | 6/27/2002 | 0 | 3/5/2002 | 1 M | Y | Y | Y |
| RR | N | RESTRICTION REQUIRE | 4/20/2004 | 1 M | 5/20/2004 | 5 1 | 10/20/2004 | 5 | 5/20/2004 | 0 M | Y | Y | Y |
| SI | n | SUPPL IDS W/PTO-1449 | 6/16/2004 | 1 m | 7/16/2004 | | 7/16/2004 | 0 | 6/29/2004 | 0 m | y | y | y |
| RE | N | RESPONSE TO OA | 7/13/2004 | 3 M | 10/13/2004 | 3 1 | 1/13/2005 | 3 | 10/13/2004 | 0 M | Y | Y | Y |
| FR | N | FINAL REJECTION | 11/19/2004 | 3 M | 2/19/2005 | 3 1 | 5/19/2005 | 3 | 3/21/2005 | 0 M | Y | Y | Y |
| 16 | Y | 116 AMENDMENT FILED | 2/21/2005 | | | | | | | | | | |
| CX | Y | RQST CONTINUED EXAM | 3/21/2005 | | | | | | | | | | |
| RE | N | RESPONSE TO OA | 5/11/2005 | 3 M | 8/11/2005 | 3 1 | 11/11/2005 | 0 | 8/10/2005 | 0 M | Y | Y | Y |
| FR | N | FINAL REJECTION | 9/16/2005 | 3 M | 12/16/2005 | 3 1 | 3/16/2006 | 3 | 12/16/2005 | 0 M | Y | Y | Y |
| CX | Y | RQST CONTINUED EXAM | 12/16/2005 | | | | | | | | | | |
| RE | N | RESPONSE TO OA | 3/6/2006 | 3 M | 6/6/2006 | 3 1 | 9/6/2006 | 3 | 7/6/2006 | 0 M | Y | Y | Y |
| PE | N | PETITION TO WITHDRAW | 1/3/2007 | 1 M | 2/3/2007 | | 2/3/2007 | 0 | | 0 M | Y | Y | Y |

Notice of Allowance retrieved from USPTO PAIR

INVENTORS

Ozawa, Koji

Hiroyuki, Taya

ASSIGNEES

Fujikura Ltd.

TERMS

Allowed

PRIOR APPLICATIONS

| REFERENCE# | CNTRY | SERIAL# | FILED | TITLE / DESCRIPTION | TYPE |
|--------------|-------|--------------|-----------|---|------|
| 113197-025JP | JP | P2001-194320 | 6/27/2001 | OPTICAL FIBER FUSION SPLICER AND METHOD FOR ESTIMATING A SHAPE OF BEAM DISCHARGED BY THE OPTICAL FIBER FUSION SPLICER | APPL |

FAMILY MEMBERS

| REFERENCE# | COUNTRY | NEW/CON | SERIAL# | FILED | PATENT # | ISSUED | STATUS |
|------------|---------------|---------|------------|----------|----------|--------|-----------|
| 113197-025 | UNITED STATES | CEQ | 10/091,646 | 3/5/2002 | | | PUBLISHED |

| | | | | | | | |
|--------------|-------|-----|--------------|-----------|--|--|----------|
| 113197-025JP | JAPAN | NEW | P2001-194320 | 6/27/2001 | | | TRANSFER |
|--------------|-------|-----|--------------|-----------|--|--|----------|

| USER-DEFINABLE FIELDS | | PATENT FIELDS | | | |
|-----------------------|--------------------|---------------|----|----------|-------------|
| Cust.# | | SMALL ENTITY | NO | ART UNIT | 2879 |
| 1stInv | Ozawa, et al. | CLAIMS | | EXAMINER | Dong, Dalie |
| Misc.2 | US-2003-0002827-A1 | PUBLICATION# | | CONFIRM# | 9145 |

| | | | | | | | | | | | | |
|------------|---------|-----------|----------|--------------|----|-----|-----------|-----|---|-----|---|-----|
| P03445US00 | ENTERED | 2/27/2002 | MODIFIED | 1/16/2007 1: | BY | HJF | ATTORNEYS | TZB | / | JMI | / | TZB |
|------------|---------|-----------|----------|--------------|----|-----|-----------|-----|---|-----|---|-----|